



Docket No.: 212006US0



ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RE: Application Serial No.: 09/933,742  
Applicants: Elisabeth PICARD-LESBOUEYRIES  
Filing Date: August 22, 2001  
For: COMPOSITIONS COMPRISING A SAPOGENIN  
AND A XANTHINE AND METHODS OF USING  
THE SAME  
Group Art Unit: 1615  
Examiner: Bennett, R.

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ATTORNEYS AT LAW  
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SIR:

Attached hereto for filing are the following papers:

**Restriction Response**

Our check in the amount of **-0-** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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IN RE APPLICATION OF: :  
ELISABETH PICARD-LESBOUEYRIES : GROUP ART UNIT: 1615  
SERIAL NO.: 09/933,742 :  
FILED: AUGUST 22, 2001 : EXAMINER: BENNETT, R.  
FOR: COMPOSITIONS COMPRISING A  
SAPOGENIN AND A XANTHINE  
AND METHODS OF USING THE SAME

RESTRICTION RESPONSE

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

In response to the Restriction Requirement dated September 10, 2002, Applicants elect, with traverse, Group I, Claims 1-12.

REMARKS

The Examiner has required restriction of the present application as follows:

Group I -- Claims 1-12;

Group II - Claims 13-16;

Group III -- Claims 17-20.

Applicants have elected, with traverse, Group I, Claims 1-12.

Restriction is only proper if the restricted inventions are independent or patentably distinct (MPEP § 803). The burden is on the Examiner to provide adequate reasons and/or examples to support any conclusion of patentable distinctness between the restricted claims